

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: )  
Henry Graf )  
Application No.: NEW )  
Filed: NEW )  
INTERVERTEBRAL STABILIZING )  
DEVICE )

**INFORMATION DISCLOSURE STATEMENT**

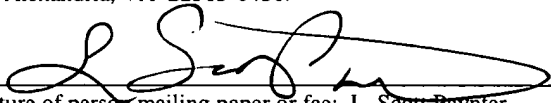
Commissioner for Patents  
Alexandria, VA 22313

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. § 1.56, Applicant wishes to bring to the attention of the Examiner the item of information listed on the enclosed Information Disclosure Citation form. This information has not been previously submitted in this application, and has not been heretofore cited by the Examiner. A copy of the cited item is enclosed in accordance with 37 C. F. R. §1.98.

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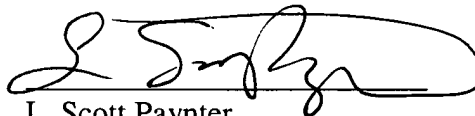
  
Signature of person mailing paper or fee: L. Scott Paynter

A copy of the International Search Report for the corresponding PCT application is enclosed herewith to provide a concise statement of the materiality of any references that are in a language other than English. Also enclosed is a copy of a purported English language translation of International Patent Application No. PCT/FR01/02098 filed 29 June 2001 (publication number WO 02/00124A1).

The filing of this Information Disclosure Statement (IDS) shall not be construed as an admission that the information cited is or is considered to be prior art or material to patentability as defined in § 1.56(b).

This Statement is being submitted under 37 CFR 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date of entry of the national stage. Accordingly, it is believed that no fee is due. However, should any fee be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted:



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|--|---|----|---|--------------------------|-----------------|
| Substitute for form 1449A/PTO<br>004002-003469.LSP.260462<br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   |    |   | <i>Complete if Known</i> |                 |
|  |   |    |   | Application Number       | NEW             |
|  |   |    |   | Filing Date              | 16 January 2004 |
|  |   |    |   | First Named Inventor     | HENRY GRAF      |
|  |   |    |   | Group Art Unit           | UNKNOWN         |
|  |   |    |   | Examiner Name            | UNKNOWN         |
|  |   |    |   | Attorney Docket Number   | 4002-3469       |
| Sheet  | 1 | of | 1 |                          |                 |

[illegible]

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Application of Cited<br>Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|---|--------------------------------|---|---|----------------|
|                    |                       | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                |   |   |                |
|                    |                       | EP 0 897 697 A  | 02/24/99                       |   |   |                |
|                    |                       | WO 95 35067 A   | 12/28/95                       |   |   |                |
|                    |                       | WO 99 05968 A   | 02/11/99                       |   |   |                |
|                    |                       | WO 02 00124 A   | 01/03/02                       |   |   | T              |
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| Examiner<br>Signature |  | Date<br>Considered |  |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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